THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.24579 of 2007

Between:

S.Sailu and others.

.. PETITIONERS

and

The Special Grade Deputy Collector and others.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.24579 of 2007

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ORDER:

It is the case of the petitioners that against grant of Succession Certificate by the 2nd respondent in favour of the petitioners in respect of the land admeasuring Ac.4-00 gts. in Sy.No.452/2 situated at Popalguda Village, Rajendernagar Mandal, Ranga Reddy District, through order, dated 17-03-2007 in proceedings No.D/568/2006, the 3rd respondent filed an appeal before the 1st respondent. The 1st respondent through order, dated 06-08-2007 in proceedings No.C/2079/2007, allowed the appeal setting aside the order of the 2nd respondent and directed to mutate the name of the 3rd respondent herein in respect of the land admeasuring Ac.4-00 gts. in Sy.No.452/2 situated at Popalguda Village, Rajendernagar Mandal, Ranga Reddy District and to issue pattadar pass book and title deed in her favour.

I am of the opinion that against the order of the 1st respondent, a remedy of revision is available before the Joint Collector under Section 9 of A.P. Rights in Land and Pattadar Pass Books Act, 1971.

Having regard to the facts and circumstances of the case, without expressing any opinion with regard to the right, authority and jurisdiction of the 2nd respondent in granting Succession Certificate and also with regard to the legality and validity of the Appellate Authority, I am of the opinion that it is just and proper to permit the petitioners to file a revision before the Joint Collector.

Accordingly, the writ petition is disposed of permitting the petitioners to file a revision before the Joint Collector against the order of the 1st respondent, dated 06-08-2007 in proceedings No.C/2079/2007, within ten days from today. If any such revision is filed within ten days from today, impleading the 3rd respondent by showing her postal address, status-quo obtaining as on today shall be maintained, pending disposal of the revision. There shall be no order as to costs.

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22-11-2007

Note:

Issue C.C. by tomorrow
(B/o)
Prv